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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/930,256	08/16/2001	Kunihiko Koike	Q65354	2035

7590 05/09/2005
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EXAMINER

LE, VU

ART UNIT PAPER NUMBER

2613

DATE MAILED: 05/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/930,256

Applicant(s)

KOIKE, KUNIHIKO

Examiner

Vu Le

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3 and 4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3 and 4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 3-4 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English.

3. Claims 1, 3-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Murphy, US 6,564,380.

Re claim 1, the grounds for rejecting claim 1 as set forth in the last Office Action apply here. As for the newly added limitations of:

“allocating a video camera to each viewer in advance” as now claimed;

Murphy discloses at col. 5, see below:

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requesting party on the Internet; (c) a master authorization server connected to the Internet for receiving a request via Internet from a requesting party to use any one of the video feeds in a requested display presentation format in conjunction with a video Web page to be linked to a Web site maintained by the client company; and (d) said master authorization server being provided with a video Web page generation module for automatically generating a video Web page in the requested display presentation format using the requested video feed, and linking the generated video Web page to the requesting party's Web site.

In a preferred embodiment, the master authorization server allows the requesting party to select from a plurality of stored display templates for different display presentation formats, and to upload the requesting party's identification graphics to the master server for incorporation into a selected display template. Such a system can be used to automatically generate video Web page ads for a client company by offering a selection of ad display templates for use with their identification graphics and any requested video feed. Similarly, licensed affiliates or video production companies can request automatic generation of live events programming (sports, news, weather, traffic, cultural events) as video Web pages hosted by the Master site which are linked to their Web sites.

Murphy also discloses at col. 7, see below:

The Master Authorization Server 100 and local PoP servers 110 are resident as Web sites on the Internet accessible by IP addressing. The Master Web site is the home site for the system's network, and is the site to which users of the system log on to find what video feeds are available and to request and contract for access to a desired video feed. The local PoP Web sites are the home sites for local network affiliates who are responsible for contracting the supply of video feeds from local sources for the system. The video feeds generated by the local sources are transmitted to the local PoP server's IP address for handling in the system. The sources 120 of the video feeds may also have unique IP addresses. An IP address for a local source is needed in the case where the source is to be addressed on the Internet by a remote party seeking to control a video camera capturing a requested video feed.

The sources of video feeds may be of any type, including sources of live video, stored video, edited video, video-on-demand, digital TV video programming, pay-per-view, telemedicine, distance learning, video conferencing, etc. For purposes of the described embodiment, live video feeds captured by video cameras at on-site locations are described herein to illustrate the transmission and management of video feeds by the system's network. However, it is to be understood that the principles of the invention disclosed herein apply as well to any other types of video feeds. Live video feeds are chosen for illustration because it is believed that live video is the most compelling form of content to users throughout the world since it provides the immediacy and impact of viewing unique people, places, cultures, and events live.

From the two citations above, authorization has to be assigned prior to the access of a video feed. Hence, allocation of a video camera is done in advanced as claimed.

As for newly added limitations of:

"wherein a set of the video camera, the remotely operable directional device and the audio input device is operated completely independent of other sets of the video camera, the remotely operable directional device and the audio input" as now claimed;

Murphy discloses at col. 3, see below:

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A primary objective of the present invention is to provide an Internet-based network system for controlling, managing, and efficiently administering the commercial distribution of live video feeds from large numbers of on-site video cameras to large numbers of production companies at other locations. The system should also have the capability to handle stored video feeds or pre-recorded video feeds provided from other sources, in addition to the live video feeds from on-site cameras. Another important objective is to create a video feed management system having a facility for authorizing and tracking accesses by different video producers to any of a large number of video feeds from different sources based upon a computerized feed list and pricing table, in order to generate a billing statement for each video producer and a payment statement to each video feed source. A specific object of the invention is to facilitate the remote control of a wide range of installed video camera types from any location via commonly used Internet browsers. Another specific object is to enable the automated production of commercial Web-based advertising, live events programming, etc., incorporating live video feeds using the described Internet-based video feed management system.

From the citation above, large numbers of production companies at different locations can access live video feeds from large numbers of on-site video cameras. The access is only enabled after authorization has been established. Hence, it is inconceivable that these companies do not operate independent from one another. On the contrary, independence from one another is inherent and necessitated.

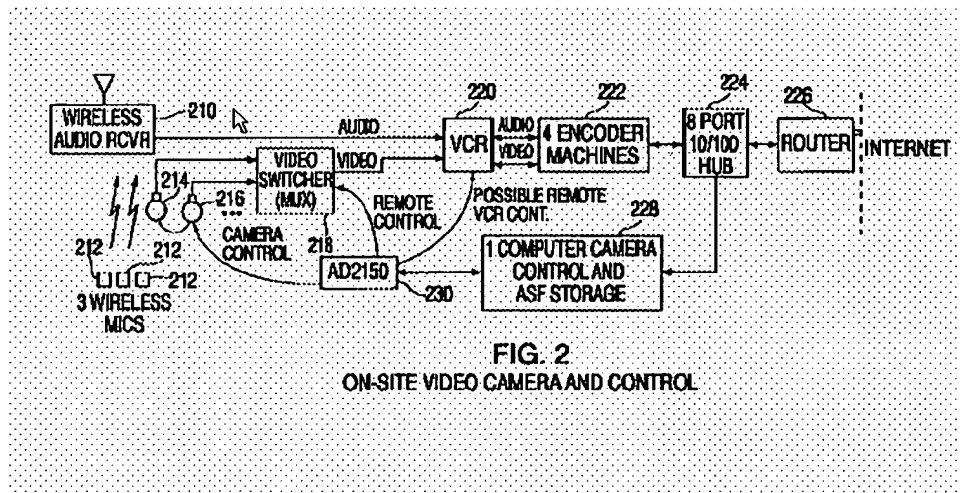
Regarding claim 3, the grounds for rejecting claim 3 as set forth in the last Office Action apply here. As for the newly added limitations of:

“a remotely operable audio input device” as now claimed;

Murphy discloses the same as claimed with the following:

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See fig. 2: 212



Also at col. 8:

between the different feeds from the cameras or to a multiplexed feed showing all feeds in separate windows. Wireless microphones 212 are provided for sound capture, sending their output signals to a wireless audio receiver 210. The

Also at col. 13:

Providers of interactive television and video services on the Internet have attempted to deliver digital video services to a mass audience of subscribers. For example, the goal of media-on-demand services is to permit a viewer to select a movie, video, or audio program from a list of available titles for viewing on TV and to control the viewing of that program in a manner analogous to a VCR, with pause, rewind, fast forward and other viewing effects. Such media-on-demand services generally require a network system in which multimedia programs are stored as digital data on storage media for a media server and sent via network links to individual viewers upon request.

As for the newly add limitations of:

“wherein said units are allocated to viewers in advance and are connected to receiving devices which output images for viewers in a one-to-one relationship, and a set of the camera units, the remotely operable directional device and the audio input

device is completely independent of other sets of the camera unit, the remotely operable directional device and the audio input device so that the operations of each viewer are not affected by the operations of other viewers" as now claimed;

These limitations have been analyzed and rejected w/r to claim 1 above. In Murphy, the one-to-one relationship is inherent and necessitated since each customer is assigned a private access key in order to access a video feed.

Regarding claim 4, the grounds for rejecting claim 4 has been established in the last Office Action.

4. Claims 2 and 5-10 are canceled as instructed.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vu Le whose telephone number is (571) 272-7332. The examiner can normally be reached on M-F 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. Customer Service can be reached at (571) 272-2600. The fax number for the organization where this application or proceeding is assigned is (571) 273-7332.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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